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FILE NO.: 17070.1002

October 1, 2024

**By ECF**

The Honorable Valerie Figueredo  
United States District Court, SDNY  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-13124

Re: *Elewood Torres v. MMS Group LLC et al.*  
Case No. 22 Civ. 6142

Dear Judge Figueredo:

We are the attorneys for Defendants NYSD Forsyth Housing Development Fund Company, Inc. and NYSD Housing Development Fund Company, Inc., incorrectly sued herein as “Housing Development Fund Corporation,” (collectively, the “Housing Defendants”) in the referenced lawsuit. We previously wrote the Court on September 19, 2024 to request a conference in connection with a discovery dispute. The conference is currently scheduled for Thursday, October 3, 2024 at 10:00 am.

We write with all parties’ consent to request that the Court cancel/adjourn the October 3 conference and either (a) permit the parties to submit a status update on their efforts to resolve the discovery dispute on or before October 15, 2024 in lieu of a conference, or (b) reschedule the conference for October 15, 2024 or some other later date convenient for the Court.

The reasons for this request are that the parties have begun working toward a resolution of the discovery issue, and the Jewish holidays begin on October 3, 2024. Accordingly, we ask that the Court give the parties additional time to try to resolve the dispute. If the Court were to permit us to submit a status update on October 15, 2024 in lieu of the conference, we would advise the Court at that time whether the dispute has been resolved and provide a proposed updated discovery schedule.

**MEMO ENDORSED**

  
HON. VALERIE FIGUEREDO  
UNITED STATES MAGISTRATE JUDGE  
DATED: 10-2-2024

The conference is canceled. Parties are to submit a status update on the discovery dispute by October 15, 2024.

The Honorable Valerie Figueredo  
United States District Court, SDNY  
October 1, 2024  
Page 2

We thank Your Honor for your time and attention to this matter.

Respectfully submitted,

*/s/ Kevin G. Donoghue*

Kevin G. Donoghue

cc: All Counsel of Record (by ECF)

**GARFUNKEL WILD, P.C.**